

FILED

JUL 24 2017

**Clerk, U S District Court
District Of Montana
Billings**

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**ATTORNEY FOR PLAINTIFF
UNITED STATES OF AMERICA**

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ELISHA RYAN FINLEY,

Defendant.

CR 17- 93 -BLG-SPW

INDICTMENT

WIRE FRAUD

(Counts I-V)

Title 18 U.S.C. § 1343

**(Penalty: 20 years imprisonment, \$250,000
fine, and three years supervised release)**

AGGRAVATED IDENTITY THEFT

(Count VI-X)

Title 18 U.S.C. § 1028A(a)(1)

**(Penalty: Mandatory consecutive two years
imprisonment, \$250,000 fine, and one year
supervised release)**

THE GRAND JURY CHARGES:

COUNTS I-V

That beginning on or about April 19, 2016, and continuing thereafter until on or about November 29, 2016, at Billings, in the State and District of Montana, and elsewhere, the defendant, ELISHA RYAN FINLEY, devised a material scheme and artifice to obtain money by false and fraudulent pretenses, representations, and promises, said scheme being more specifically described below, and thereafter to execute the scheme and artifice so devised, transmitted and caused to be transmitted by wire communication in interstate commerce, certain signals, writings and sounds.

THE FORGED CHECK SCHEME

During the period of the scheme, ELISHA RYAN FINLEY was employed as the bookkeeper and office worker of G. D. Eastlick, Incorporated, a trucking company owned and operated in Billings. In this capacity, FINLEY was responsible for payroll, accounts payable, bill payment, and reconciliation of bank statements. As part of her duties, FINLEY regularly prepared checks for the owner of G.D. Eastlick, Inc., G.E., to sign. As part of the scheme, FINLEY frequently wrote checks to herself and forged the signature of G.E. FINLEY would then cash these checks or deposit them into a personal account she controlled.

To conceal the missing money FINLEY withdrew from her employer's account, FINLEY improperly disposed of copies of these check provided to the company by the bank as part of the monthly account statement. FINLEY also fraudulently altered the check stubs to make it appear that the checks were voided when they were not. Finally, FINLEY would routinely fail to enter the checks she fraudulently paid to herself in the company's books and records. Over the course of approximately eight months, FINLEY wrote approximately 140 fraudulent checks and her scheme netted her approximately \$97,451.85 in embezzled funds from G.D. Eastlick, Incorporated.

INTERSTATE WIRING

COUNT I

On or about November 3, 2016, at Billings, in the State and District of Montana, the defendant, ELISHA RYAN FINLEY, for the purpose of executing the scheme described above, did knowingly cause to be transmitted in interstate commerce by means of wire communications, an electronic transmission between an entity in Montana and a clearinghouse outside of Montana, which represented the withdrawal of check #43323 for \$1,000.00 from Yellowstone Bank account number XXX4098, all in violation of 18 U.S.C. § 1343.

COUNT II

On or about November 7, 2016, at Billings, in the State and District of Montana, the defendant, ELISHA RYAN FINLEY, for the purpose of executing the scheme described above, did knowingly cause to be transmitted in interstate commerce by means of wire communications, an electronic transmission an entity in Montana and a clearinghouse outside of Montana, which represented the withdrawal of check #43337 for \$2,187.26 from Yellowstone Bank account number XXX4098, all in violation of 18 U.S.C. § 1343.

COUNT III

On or about November 25, 2016, at Billings, in the State and District of Montana, the defendant, ELISHA RYAN FINLEY, for the purpose of executing the scheme described above, did knowingly cause to be transmitted in interstate commerce by means of wire communications, an electronic transmission between an entity in Montana and a clearinghouse outside of Montana, which represented the withdrawal of check #43457 for \$812.71 from Yellowstone Bank account number XXX4098, all in violation of 18 U.S.C. § 1343.

COUNT IV

On or about November 28, 2016, at Billings, in the State and District of Montana, the defendant, ELISHA RYAN FINLEY, for the purpose of executing the scheme described above, did knowingly cause to be transmitted in interstate

commerce by means of wire communications, an electronic transmission between an entity in Montana and a clearinghouse outside of Montana, which represented the withdrawal of check #43333 for \$2,073.80 from Yellowstone Bank account number XXX4098, all in violation of 18 U.S.C. § 1343.

COUNT V

On or about November 30, 2016, at Billings, in the State and District of Montana, the defendant, ELISHA RYAN FINLEY, for the purpose of executing the scheme described above, did knowingly cause to be transmitted in interstate commerce by means of wire communications, an electronic transfer between an entity in Montana and a clearinghouse outside of Montana, which represented the withdrawal of check #43475 for \$683.42 from Yellowstone Bank account number XXX4098, all in violation of 18 U.S.C. § 1343.

COUNT VI

On or about November 3, 2016, at Billings, in the State and District of Montana and elsewhere, the defendant, ELISHA RYAN FINLEY, knowingly and without lawful authority, transferred, possessed and used a means of identification of another person, that is the signature of G.E., during and in relation to the felony enumerated in 18 U.S.C. § 1343, as charged in Count I, in violation of 18 U.S.C. § 1028A(a)(1).

COUNT VII

On or about November 7, 2016, at Billings, in the State and District of Montana and elsewhere, the defendant, ELISHA RYAN FINLEY, knowingly and without lawful authority, transferred, possessed and used a means of identification of another person, that is the signature of G.E., during and in relation to the felony enumerated in 18 U.S.C. § 1343, as charged in Count II, in violation of 18 U.S.C. § 1028A(a)(1).

COUNT VIII

On or about November 25, 2016, at Billings, in the State and District of Montana and elsewhere, the defendant, ELISHA RYAN FINLEY, knowingly and without lawful authority, transferred, possessed and used a means of identification of another person, that is the signature of G.E., during and in relation to the felony enumerated in 18 U.S.C. § 1343, as charged in Count III, in violation of 18 U.S.C. § 1028A(a)(1).

COUNT IX

On or about November 28, 2016, at Billings, in the State and District of Montana and elsewhere, the defendant, ELISHA RYAN FINLEY, knowingly and without lawful authority, transferred, possessed and used a means of identification of another person, that is the signature of G.E., during and in relation to the felony

enumerated in 18 U.S.C. § 1343, as charged in Count IV, in violation of 18 U.S.C. § 1028A(a)(1).

COUNT X

On or about November 30, 2016, at Billings, in the State and District of Montana and elsewhere, the defendant, ELISHA RYAN FINLEY, knowingly and without lawful authority, transferred, possessed and used a means of identification of another person, that is the signature of G.E., during and in relation to the felony enumerated in 18 U.S.C. § 1343, as charged in Count V, in violation of 18 U.S.C. § 1028A(a)(1).

A TRUE BILL.

Foreperson signature redacted. Original document filed under seal.

FOREPERSON


LEIF M. JOHNSON
Acting United States Attorney


JOSEPH E. THAGGARD
Criminal Chief Assistant U.S. Attorney

Crim. Summons X

Warrant: _____

Bail: none

Summons
8/29/2017 @ 9:00am
Billings, TJC